

Remarks

Claims 1-8 and 10-18 are pending in this case. Amendments have been made to claims 1 and 13. The Examiner rejected claims 1-8 and 10-18 under 35 U.S.C. §103(a) as being unpatentable over Young et al (US4,212,897).

The Applicants have amended claims 1 and 13 to ensure that the claim does not cover the addition of an insecticide. Although as the Examiner pointed out, the siloxane and titanium ingredients described in Young are similar to those described in the present invention, that is not sufficient to establish prima facie obviousness. Young does not describe or require an organopolysiloxane having greater than 50 mole percent $R^1SiO_{3/2}$ units or a composition that provides flame retardancy. Rather, in lines 37 to 41, Young describes the many different forms the polysiloxane can take – without noting a preference for any of them. Applicants assert that a person skilled in the art would not find Applicant's composition obvious over what is described in Young.

For the reasons described above, Applicants submit that claims 1-8 and 10-18 are not obvious over Young. Applicants respectfully request that the Examiner reconsider the above rejections and allow the amended claims to issue.

This reply is being submitted within the period for response to the outstanding office action and as part of an RCE filing. Although the applicants believe in good faith that no extensions of time are needed, the applicants hereby petition for any necessary extensions of time. You are authorized to charge deposit account 04-1520 for any fees necessary to maintain the pendency of this application. You are authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to deposit account 04-1520.

Respectfully Submitted,
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